

What's Happening with Injunctions?

AALS Workshop on Remedies: Justice and the Bottom Line
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Desegregating Teachers

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[T]he presence of all Negro teachers in a school attended solely by Negro pupils in the past denotes that school a “colored” school just as certainly as if the words were printed across its entrance in six-inch letters.

Brown v. Board of Frederick County, Virginia (1965)¹

If school administrators were truly colorblind and teacher assignments did not reflect the color of the teacher’s skin, the law of averages would eventually dictate an approximate racial balance of teachers in each within a system.

President Richard Nixon, Televised Address (1970)²

Starting in 1968, the federal government – acting through its judiciary and Department of Health, Education, and Welfare (HEW) – required *de jure* school districts to desegregate not only their students, but their faculties as well. No longer could “white” schools have only white teachers, and “colored” schools have predominately African American faculties. Judge J. Harvie Wilkinson, III has aptly described the desegregation of teaching staffs as “the least visible and most flammable part of the entire school picture.”³ Parents and teachers strongly objected. The protests extend beyond Southern whites, to include both African Americans and whites in the South as well as the North. School districts resisted as well, citing pedagogical theory and teacher preferences and shortages. Yet, the courts and HEW stood firm that desegregation includes both teachers and students. The racial identifiability of formerly *de jure* schools could only end with the desegregation of both groups.

Desegregating teachers profoundly altered the relationships between African Americans and whites. It meant African American (male) principals would supervise white (female) teachers; African American teachers would have control over white children; and white teachers

¹249 F. Supp. 549, 560 (W.D. Va. 1965).

²President Richard Nixon, Statement About Desegregation of Elementary and Secondary Schools (March 24, 1970) (available at <http://www.presidency.ucsb.edu/ws/print.pht?pid=2923>).

³J. HARVIE WILKINSON III, FROM *BROWN* TO *BAKKE* 96 (1979).

would have control over African American students. In some respects, the costs were high within the African American community. As African American schools were closed as excess capacity, African American principals and teachers lost their well respected jobs. The number of African American principals in the South decreased from over 2,000 in 1964 to less than 200 in 1973, and an estimated 40,000 African American teachers lost their jobs by 1972.

The courts and HEW succeeded in eliminating the absolute segregation of teachers; faculties are certainly not as segregated as they were forty years ago. For example, in 1966, not one African American teacher taught in a white school in Louisiana. By 2006, only one percent of Louisiana schools had no African American teacher, and no school had only African American teachers.

Yet, the relationship between the demographics of the students and teachers remains today, at least in parts of the country. I found strong, fairly consistent correlations between the race and ethnicity of students and teachers for select school districts in the states of California, Florida, Louisiana, Nevada, New Jersey, New Mexico, New York, Ohio, and Texas. Specifically, African American students were strongly, positively correlated with African American teachers, and white students were strongly, positively correlated with white teachers. Hispanic students were strongly, positively correlated with Hispanic teachers in some school districts, but the pattern was not as pronounced as it was for African Americans and whites. This is particularly true given that an educational need – bilingual education – may explain in part a positive correlation between Hispanic students and teachers. Some sample correlation coefficients are on page four of this handout.⁴

These correlations, like any data, are not perfect. The correlations fail to tell us *why* the pattern exists. Moreover, the correlations do not gauge who exactly teaches what students. That is, for example, they do not examine whether within a given school building minority students are more likely to have a minority teacher. Instead, they offer only a rough approximation of a student's actual classroom experience.

Neither do the correlations measure the absolute level of segregation of either students or teachers. Instead, they ask whether a decrease or increase for a particular group of students (here either African American, Hispanic, or white) is matched by a decrease or increase for a particular group of teachers (again, either African American, Hispanic, or white). In other words, a high, positive correlation between African American students and teachers merely demonstrates that the more African American students, the more African American teachers. It does not measure to what extent students *or* teachers are desegregated. Instead, it is measuring the presence of a pattern, a relationship that was a hallmark of *de jure* and *de facto* school districts, that the race and ethnicity of students and teachers mirror each other. In other words, the correlations measure to some degree the continued racial identifiability of schools from their faculties.

⁴The correlation coefficient, expressed from 1.0 to -1.0, for two random variables indicates the strength and direction of the linear relationship. A positive number will indicate a positive relationship between the two variables; a negative number, a negative relationship. A correlation coefficient of 1.0 would represent a perfect positive relationship, and a correlation coefficient of 0 would indicate no relationship. Correspondingly, a correlation coefficient of -1.0 would represent a perfect negative relationship.

From these correlations two broad inquiries arise, both of which I'm only beginning to pursue: identifying the causes of the relationship, and assessing whether the relationship, or the racial identifiability, matters today. Class and past education attainment often explain, in part, racial disparities, but that is likely less true here. Desegregating teachers to a large degree transcends both class and education because I'm comparing teachers to teachers, who have some similarities in income and education. This eliminates, at least to some degree, class and education as explaining the correlations. Instead, I would hypothesize that the many, varied causes likely include some form of bias by school districts about where teachers should teach, but also some degree of teachers preferring schools in which their race predominates. To the extent teacher preferences are truly voluntary, the pattern does not indicate racial oppression. Regardless, if these potential causes are true to a certain extent, then the correlations would be important as indicating the continued descriptive and analytical validity of race and ethnicity in education and employment. These issues of causation, and their implication on the significance of the correlations, also deserve further analysis to the extent they reveal a rejection of *Brown's* ideal of actual integration.

What then is happening with injunctions to desegregate teachers? They certainly continue to exist, but their lasting impact is questionable. When examining whether school districts have achieved "unitary status," and thus can be released from judicial supervision, courts continue to examine whether teachers are fairly evenly distributed. A few courts have gone so far as to continue judicial supervision until teachers are more desegregated. Yet, courts (and the Department of Education, which now supervises some of HEW's desegregation plans) apparently have failed so far to eliminate the pattern of teachers matching the students. While the temporary school desegregation orders have successfully eliminated extreme segregation of teachers, they have not successfully eliminated the apparent continued comfort that teachers, school districts, and society may have with only limited integration of teachers. In other words, we may be interested in diversity and against segregation, but that interest is rarely expressed or actualized as favoring strong integration, at least when it comes to teachers, despite the integrative commands of school desegregation orders.

Table 1. Select Correlation Coefficients – Teacher to Student

	Af. Am/ Af. Am.	Hispanic/ Hispanic	White/ White
Adelanto Elementary–San Bernardino, California	0.39	0.17	0.44
Carlsbad–San Diego, California	-0.43	0.55	0.54
Berkeley–Alameda, California	0.70	0.60	0.48
Turlock–Stanislaus, California	-0.33	0.86	0.76
Broward, Florida	0.87	0.62	0.78
Duval, Florida	0.78	0.14	0.77
Orange, Florida	0.73	0.57	0.67
Caddo, Louisiana	0.84	-0.07	0.84
Jefferson, Louisiana	0.67	0.41	0.60
Rapides, Louisiana	0.69	-0.10	0.68
Clark (Las Vegas), Nevada	0.73	0.48	0.62
Franklin Twp, New Jersey	0.95	0.69	0.91
Millville City, New Jersey	0.02	0.77	-0.26
Montclair Town, New Jersey	0.66	-0.10	0.70
Alamogordo, New Mexico	0.12	0.50	0.49
Albuquerque, New Mexico	0.20	0.68	0.68
Carlsbad, New Mexico	-0.32	0.43	0.07
Newburgh City, New York	-0.11	0.83	0.22
Syracuse City, New York	0.43	0.80	0.38
White Plains City, New York	-0.83	0.56	-0.59
Forsyth County, North Carolina	0.80	0.24	0.80
Charlotte-Mecklenberg, North Carolina	0.74	0.25	0.71
Chapel Hill–Carrboro, North Carolina	0.40	0.32	0.16
Columbus City, Ohio	0.53	0.24	0.54
Toledo City, Ohio	0.81	0.13	0.76
Arlington, Texas	0.22	0.72	0.67
Galveston, Texas	0.23	0.86	0.59
Richardson, Texas	0.61	0.87	0.72
Tyler, Texas	0.62	0.80	0.79

